

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

United States of America)

v.)

VICTOR LOPEZ)

Case No: 1:10-cr-10006-IT

USM No: 91707-038

Date of Previous Judgment: 06/01/2011)

Raymond A. O'Hara Esq.

(Use Date of Last Amended Judgment if Applicable))

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____ months, but in no event less than time served on 11/1/15.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____

Amended Offense Level: _____

Criminal History Category: _____

Criminal History Category: _____

Previous Guideline Range: _____ to _____ months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain): _____

III. ADDITIONAL COMMENTS

Motion is denied. Defendant is ineligible for sentence reduction for the reasons set forth in Section (a) of the parties' Joint Status Report [#53].

Except as provided above, all provisions of the judgment dated 06/01/2011 shall remain in effect.

IT IS SO ORDERED.

Order Date: 11/10/2015


Judge's signature

Effective Date: _____
(if different from order date)

Indira Talwani, District Judge
Printed name and title